

STEVEN W. MYHRE
Acting United States Attorney
ALEXANDRA MICHAEL
Assistant United States Attorney
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336
Alexandra.michael@usdoj.gov

Attorney for the plaintiff United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:17-mj-00683-CWH
)	
Plaintiff,)	
)	STIPULATION TO CONTINUE
vs.)	PRELIMINARY HEARING
)	(<i>Third request</i>)
SEHDEV et al,)	
)	
Defendant.)	
)	

STIPULATION TO CONTINUE PRELIMINARY HEARING

IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W. MYHRE, Acting United States Attorney, and Alexandra Michael., Assistant United States Attorney, counsel for the United States of America, Thomas Boley, Esq., counsel for Defendant JOSE LUIS MONTOYA and Brian Smith, Esq., counsel for Defendant ASHOK KUMAR SEHDEV, that the preliminary hearing for the above-captioned matter, currently scheduled for October 30, 2017, at the hour of 4:00 p.m., be vacated and continued to a date and time convenient for this Court, but in no event earlier than thirty (30) days.

This stipulation is entered for the following reasons:

1. The parties need additional time to discuss potential resolutions that would obviate the need to conduct a preliminary hearing.

1 2. Both Defendants are in custody and they do not object to the continuance.

2 3. The parties all agree to the continuance.

3 4. Denial of this request for continuance of the preliminary hearing would
4 potentially prejudice both the Defendant and the Government and unnecessarily consume this
5 Court's valuable resources, taking into account the exercise of due diligence.

6 5. Additionally, denial of this request for continuance could result in a miscarriage
7 of justice.

8 6. The additional time requested by this stipulation is excludable in computing the
9 time within which the defendant must be indicted and the trial herein must commence pursuant
10 to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under
11 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

12 7. This is the third request for a continuance of the preliminary hearing herein.
13 DATED: October 27, 2017.

14
15 /s/_____
16 ALEXANDRA MICHAEL
17 Assistant United States Attorney
18 Counsel for the United States

 /s/_____
THOMAS BOLEY
Counsel for Defendant JOSE LUIS MONTROYA

19 /s/_____
20 BRIAN SMITH
21 Counsel for Defendant ASHOK KUMAR SEHDEV
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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 UNITED STATES OF AMERICA,) 2:17-mj-00683-CWH
7)
8 Plaintiff,) **ORDER CONTINUING**
9) **PRELIMINARY HEARING**
10 vs.)
11)
12 SEHDEV et al,)
13)
14 Defendant.)
15)
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13 **ORDER**

14 Based on the pending Stipulation of counsel, and good cause appearing therefore, **IT IS**
15 **HEREBY ORDERED**, that the preliminary hearing in the above-captioned matter, currently
16 scheduled for October 30, 2017, at the hour of 4:00 p.m., be vacated and continued to
17 December 4, 2017 at the hour of 4:00 p.m.

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19 DATED: October 30, 2017

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UNITED STATES MAGISTRATE JUDGE
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